



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बुधवार, 12 नवम्बर, 1980/21 कार्तिक, 1902

हिमाचल प्रदेश सरकार

विधि विभाग

अधिसूचना

शिमला-171002. 11 नवम्बर 1980

कर्मचि एल० एल० आर० डी०-(6) 26/80.—हिमाचल प्रदेश कन्ट्री एण्ड टाउन प्लैनिंग (अमैडमेंट) अध्यादेश, 1980 (1980 का अध्यादेश संख्यांक 4) को राज्यपाल महोदय द्वारा "भारत के संविधान" के अनुच्छेद 213 के खण्ड (1) के अन्तर्गत दिनांक 6-11-80 को, जैसा प्रख्यापित किया गया, एतद्वारा सर्वसाधारण की जानकारी के लिये राजपत्र, हिमाचल प्रदेश में प्रकाशित किया जाता है।

जय चन्द मल्होत्रा,
सचिव।

Ordinance No. 4 of 1980.

THE HIMACHAL PRADESH TOWN AND COUNTRY
PLANNING (AMENDMENT) ORDINANCE, 1980

Promulgated by the Governor of Himachal Pradesh in the Thirty-first Year of the Republic of India.

An Ordinance to amend the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977).

Whereas the Legislative Assembly of Himachal Pradesh is not in session* and the Governor of Himachal Pradesh is satisfied that the circumstances exist which render it necessary for him to take immediate action:

And whereas the prior instructions of the President of India to promulgate the Ordinance have been obtained;

Now, therefore, in exercise of the powers conferred by clause (1) of the Article 213 of the Constitution of India, the Governor of Himachal Pradesh is pleased to make and promulgate the following Ordinance:—

Short title
and com-
mencement.

1. (1) This Ordinance may be called the Himachal Pradesh Town and Country Planning (Amendment) Ordinance, 1980.

(2) It shall come into force at once.

Amendment
of section 16.

2. In section 16 of the Himachal Pradesh Town and Country Planning Act, 1977,—

(i) for the sign “.” occurring at the end of clause (b) the sign “;” shall be substituted; and

(ii) after clause (b) so amended the following clause (c) shall be added namely:—

(c) no Registrar or the Sub-Registrar, appointed under the Indian Registration Act, 1908, shall, in any planning area constituted under section 13, register any deed or document of transfer of any sub-division of land by way of sale, gift, exchange, lease or mortgage with possession, unless the sub-division of land is duly approved by the Director, subject to such rules as may be framed in this behalf by the State Government:

Provided that the Registrar or the Sub-Registrar may register any transfer,—

(i) where the land is owned by a person and the transfer is made without involving any further divisions;

(ii) where the partition/sub-division of land is made in a Joint Hindu Family;

(iii) where the lease is made in relation to a part or whole of a building;

(iv) where the mortgage is made for procuring the lands for construction or improvements over the land either from the Government or from any other financial institutions constituted or established under any law for the time being in force or recognised by the State Government.”

SIMLA:
Dated 6-11-1980.

AMINUDDIN AHMED KHAN,
Governor.

J. C. MALHOTRA,
Secretary (Law).